

# TOWN OF LYNDON

## SELECTBOARD MEETING

April 18, 2016

5:30 PM

### Selectboard

Martha "Marty" Feltus  
Kermit Fisher  
Dan Daley

### Press

Amy Nixon

### Public

Dawn Dwyer, Justin Smith, Joe Dauphin, Rob Nutting, Steve Gray  
Janet St. Onge, Luis Garcia, Chad Pilotte, Grant Spates (6:00)  
Oscar Thayer (6:00), Barry Ford (6:09), Jeff Tirey (6:18),  
Darren Houck & Christine Fayette (6:21), Gary Leach (6:24)

Added agenda items: Liquid chloride bids

1. Approval of minutes:

Motion made by Kermit Fisher, seconded by Dan Daley, to approve the March 31, 2016 minutes.

Motion carried 2 to 0 as Marty was not present at this meeting.

Motion made by Kermit Fisher, seconded by Marty Feltus, to approve the April 4, 2016 minutes as amended. Motion carried 3 to 0.

2. Approval & Signing of Orders drawn on the Treasurer:

The Board approved and signed the orders drawn on the Treasurer for weeks #15 & 16.

3. Highway Report:

At 29% through the year, payroll is 32% spent and the entire budget is 24% expended.

4. Joint Garage Discussion:

Grant Spates and Oscar Thayer reviewed with the Board the preliminary costs which came in at \$1,850,998.50. They also presented a List of Bid Alternates. The next step in the process is to review the numbers with Mark Stewart to generate the Not to Exceed Amount. Grant & Oscar will be back at the next meeting with this total. This date is right on schedule for the original timeline.

5. Wastewater Treatment Facility Upgrade Update:

Gary Leach informed the Board that he still does not have the final numbers from the low bidder T Buck Construction for the upgrade project. He feels confident that there will be adequate funds left from the original grant that additional funds will not be necessary. Gary is working on the scope of the draft change order that will need to be signed once the bid is awarded.

6. LEARN, Inc.:

Janet St. Onge and Luis Garcia shared with the Board concerns, from themselves and other students, they have with the article that appeared in the Caledonian-Record regarding the letter Justin Smith sent to LEARN. The Board, at their March 21<sup>st</sup> meeting, had asked Justin to send a letter to LEARN addressing the issues of profanity and unsupervised students as well as outlining the conditions for using the gym facility and the consequences of any future violations. Chair Dan Daley thanked them for coming before the Board.

7. Liquor Licenses:

Motion made by Kermit Fisher, seconded by Marty Feltus, to approve the 1<sup>st</sup> Class Hotel License to sell malt and vinous beverages for DOR Associates dba Wildflower Inn, with standard conditions. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the 1<sup>st</sup> Class Liquor License for Lyndonville Restaurant Inc., dba Lyndon Buffet, with standard conditions. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the 1<sup>st</sup> class Restaurant/Bar License to sell malt and vinous beverages for Phat Kats Tavern, with State imposed conditions as well as Lyndon's standard conditions. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the Outside Consumption Permit for Kingdom Creek, LLC. dba The Hub Brew Counter, with standard conditions. Motion carried 3 to 0.

8. Excess Weight Permits:

Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the Single Excess Weight Permit for Brent Newland Construction/Logging with approval for Justin Smith to sign on behalf of the Board. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the three (3) Fleet Excess Weight Permits with approval for Justin Smith to sign on behalf of the Board. Motion carried 3 to 0.

Permits are for Amerigas, Darcy Nelson and Kelley-View Farm, Inc.

9. Local Emergency Management Plan Adoption:

Motion made by Marty Feltus, seconded by Kermit Fisher, to adopt the Local Emergency Management Plan. Motion carried 3 to 0.

10. Town Road & Bridge Standards and Network Inventory Compliance Standards:

Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the Town Road & Bridge Standards and Network Inventory Compliance Standards. Motion carried 3 to 0.

11. Real Estate:

Justin informed the Board that a local resident, Khosrow Bousheri, has given the Town of Lyndon his mobile home and land located at 121 Ingalls Lane. The mobile home and land is legally owned by Mr. Bousheri and Andre Deos. The Board has asked Justin to write to Mr. Deos and make him aware of Mr. Bousheri's wishes.

12. Liquid Calcium Chloride Bids:

Motion made by Kermit Fisher, seconded by Marty Feltus, to accept the low bid of \$0.81 per gallon for Liquid Calcium Chloride from Innovative Surface Solutions. Motion carried 3-0. Other bids were \$0.82/gallon from The Gorman Group and \$0.825/gallon from All States Asphalt, Inc.

13. Other:

- a. Paul Tomasi, Executive Director of Northeast Kingdom Waste Management District (NEKWMD) emailed Justin regarding the inquiries he has been receiving already for Bulky week, which they do not start taking reservations until April 25<sup>th</sup>. His concern is that they will not have enough containers or manpower to cover the volume he is anticipating based on the interest already received. The Board will ask Paul to ensure there are adequate containers. The Town will also try to educate the residents that Early Rubbish & Recycling will pick up bulky items by appointment.
- b. Justin shared an updated letter he sent to the Vermont Council on Rural Development. VCRD is currently working on renewing a grant through USDA. (see March 28, 2016 minutes)

- c. Justin shared a letter from Barbara Jarvis, who lives on Fernwood Drive, in regards to the German Shepard, Ajax, which is owned by Claudio Ardizzola & Jane Rooney.
- d. Correspondence from Vermont Department of Public Service was shared regarding a Motion to Intervene which was filed against Aegis Wind, LLC's 300 kW Group Net-metered Application located west of 1913 Lynburke Road.
- e. A copy of the Act 250 Notice Minor Application for the Joint Garage was shared with the Board.
- f. The Town has been notified by Downs Rachlin Martin PLLC of AT&T's plan to replace their wireless technology on their cell tower located at 49 Sawmill Lane.
- g. Justin shared the minutes from the VT AOT Highway Resurfacing Services regarding the railroad site visit that happened on March 10<sup>th</sup>.
- h. Brian Coderre, Cemetery Sexton, is hopeful that he will be able to open the cemetery at the earliest on April 29<sup>th</sup> but no later than May 2<sup>nd</sup>. He is currently working on winter clean-up.

14. Executive Session- Contract LASA:

Motion made by Kermit Fisher, seconded by Marty Feltus, to find that premature general public knowledge of the pending contract with LASA will clearly place the town of Lyndon at a substantial disadvantage by disclosing its negotiation strategy. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Kermit Fisher, to enter executive session at 6:42 PM to discuss the Town's contract with LASA under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. Motion carried 3 to 0.

Upon coming out of executive session at 7:37 PM, no action was taken.

Meeting adjourned at 7:40 PM

Minutes taken by Dawn Dwyer

Approved by the Selectboard: May 2, 2016